

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL CASE
NO. 04-10044MLW

EDWIN SERRANO
Defendant

REPORT & ORDER ON
FURTHER FINAL STATUS CONFERENCE

ALEXANDER, U.S.M.J.

On March 22, 2005, parties appeared before this Court for a Final Status Conference. With regard to the following issues, the parties have represented that:

1. There are no features of case that deserve special attention or modification of the standard schedule;
2. Discovery is complete and there are no pending discovery motion;
3. There is no supplemental discovery anticipated;
4. (a) Total amount of time ordered excluded under the Speedy Trial Act: November 15, 2004, through December 13, 2004 (28 days); December 21, 2004, through January 27, 2005 (36 days); January 27, 2005, through February 1, 2005 (5 days) and February 1, 2005, through March 22, 2005 (50 days), for a total of one hundred and twelve (112 days) days as of March 22, 2005.
(b) The total amount of time to proceed to trial is sixty-three (63) days as of March 22, 2005;
(c) There is a pending Motion “to Compel Early Disclosure and Production of Discovery Material” that may cause additional excludable time under the Speedy Trial Act;
5. (a) The defendant does not intend to raise a defense of insanity.
(b) The defendant does not intend to raise a defense of public authority.
6. The Government has requested notice of alibi by the defendant and the defendant has

not repsonded;

7. (a) There are no pending motion to sever, suppress or dismiss requiring a ruling by the District Court before trial;

(b) A briefing schedule has not been established;

8. The defendant has requested that the case not be scheduled before the District Judge until defense counsel has resolved the matter of prior convictions of the defendant;

9. Resolution of case without trial is likely;

10. Trial is uncertain. If trial were to become necessary, the estimated duration of trial would be three (3) to five (5) days;

11. Other matters: Counsel is in the process of attempting to vacate prior convictions of the defendant.

IT IS HEREBY ORDERED THAT

Upon ruling on MOTION “to Compel Early Disclosure and of Discovery Materials” (docket entry #32), the Court will return the case to the District Judge in that all pretrial matters referred to the Magistrate Judge by the District Judge will have been resolved.

HONORABLE JOYCE LONDON ALEXANDER
U.S. MAGISTRATE JUDGE

By the Court:

March 22, 2005

Date

/S/ Rex Brown

Courtroom Clerk

(617) 748-9238